

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

Potts NH RE, LLC

v.

Civil No. 12-cv-082-SM

Northgate Classics, LLC

O R D E R

On today's date, a telephone conference was held on Plaintiff's motion for preliminary injunction. Attorneys Peter Callaghan and Daniel P. Luker appeared for plaintiff, and Attorney Jack P. Crisp, Jr., appeared for defendants.

The court issues the following scheduling order:

Hearing Date: Hearing on plaintiff's motion scheduled for May 4, 2012, at 10:00 a.m.

Briefs Due: Plaintiff shall file a brief no longer than ten (10) pages in length on or before April 25, 2012, on the question of whether plaintiff can establish the element of irreparable harm. Defendant shall file any response with the same page limitations, on or before May 2, 2012.

Discovery: Parties assert they can reach agreement on any expedited discovery necessary prior to the hearing.

Stipulation of Facts: Parties shall file a stipulation of facts on or before May 4, 2012, setting forth those facts

not in dispute. In the same filing, the parties shall include a statement of disputed facts (i.e., a list of facts that a party contends will not be established at the hearing). The court appreciates brevity and prefers lists rather than lengthy narrative.

Witnesses/Exhibits: Parties shall confer before the hearing to identify all areas of agreement and disagreement as to the admissibility of each witness and exhibit. On or before May 4, 2012, the parties shall jointly file a list of agreed-upon witnesses and exhibits and shall set forth in the same filing any disagreements with respect thereto separately and succinctly. Again, the court encourages lists, tables, charts and any formats that inhibit lengthy narrative.

Counsel agreed that the pretrial conference currently scheduled for April 25, 2012, should be rescheduled to occur after the preliminary injunction is resolved.

SO ORDERED.



Landya B. McCafferty
United States Magistrate Judge

Dated: April 16, 2012

cc: Peter G. Callaghan, Esq.
Jack P. Crisp, Jr., Esq.